

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THE TRUSTEES OF THE LOCAL 807 :
LABOR-MANAGEMENT PENSION FUND, and :
THE LOCAL 807 LABOR-MANAGEMENT :
PENSION FUND, : **ORDER TO SHOW CAUSE**
: Plaintiffs, : 1:19-CV-4688 (ENV)(CLP)
: :
-against- :
: :
CITY ELEVATOR CORP., :
: X
Defendant.

VITALIANO, D.J.

On August 3, 2020, plaintiffs obtained a judgment in this Court against defendant in the amount of \$500,381.47. *See* 8/3/2020 Order. Since then, plaintiffs have been attempting to enforce that judgment, but defendant and its officer and principal, Mitchell Hellman, have not complied with court orders.

On September 17, 2021, Chief Magistrate Judge Pollak entered an order, *see* Dkt. 20, certifying facts and proposing that this Court convene a hearing to show cause why Mitchell Hellman should not be held in contempt. *See* 28. U.S.C. § 636(e)(6) (governing authority for certification of contempt). Having found no error of law or fact in Chief Magistrate Judge Pollak's findings and recommendations, the Court orders as follows:

Mitchell Hellman must appear before this Court on April 13, 2022, at 2:30 P.M. in Courtroom 4C South, 225 Cadman Plaza East, Brooklyn, New York, to show cause as to why he should not be held in civil contempt and punished for such contempt.

Pursuant to Local Civil Rule 83.6 (formerly Local Civil Rule 83.9), plaintiffs are directed to personally serve a copy of this Order, the Orders at Dkt. Nos. 17 and 20, Local

Civil Rule 83.6, and N.Y. C.P.L.R. § 5224, upon both Mitchell Hellman and defendant, and to file proof of service on CM/ECF by March 18, 2022. Mitchell Hellman is ordered to serve any answering or responsive papers upon Daniel Treiman, attorney for Plaintiffs, at Friedman & Anspach, 1500 Broadway, Suite 2300, New York, NY 10036, for receipt no later than April 1, 2022. Any reply papers shall be served no later than April 8, 2022.

Hellman is warned that failure to appear in person before the Court as directed by this Order to Show Cause will result in a finding that he is guilty of contempt, which is punishable by jail and/or fine.

So Ordered.

Dated: March 4, 2022
Brooklyn, New York

/s/ Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge